



U.S. Department of Justice

Federal Bureau of Prisons

Legal Department

Metropolitan Correctional Center
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(646) 836-6300, (646) 836-7665 (Fax)

September 6, 2013

The Honorable Katherine B. Forrest
Daniel Patrick Moynihan United
States Courthouse
500 Pearl Street
New York, New York 10007-1312

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: SEP 06 2013

Re: United States v. Cole, et al., 12 Cr. 802 (KBF)
COLE, Trevor, Federal Register No. 67573-054
JEAN-PHILLIPE, Dominique, Federal Register No. 67575-054

Dear Judge Forrest:

I write regarding the Court's September 3, 2013 Order in the above-referenced case. Specifically, the Court requested the Metropolitan Detention Center, Brooklyn, New York ("MDC Brooklyn") consider housing co-defendants Trevor Cole, Reg. No. 67573-054, and Dominique Jean Phillippe, Reg. No. 67575-054, in the same housing unit. Yesterday, these defendants were moved by the U.S. Marshals Service to the Metropolitan Correctional Center, New York (MCC New York), in advance of trial. Based on the below, MCC New York respectfully requests the Court not amend its order to direct MCC New York to house the co-defendants together.

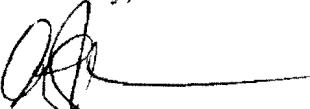
While MCC New York generally has security concerns with housing co-defendants together, recent developments render housing these co-defendants together even more problematic. On arrival yesterday, MCC New York was able to place Mr. Cole in general population. However, during Mr. Jean-Phillipe's visual search, staff discovered contraband in his possession. Consequently, Mr. Jean-Phillipe was placed in the Special Housing Unit ("SHU") for administrative detention pending receipt of an incident report and subsequent disciplinary hearing. Accordingly, Mr. Jean-Phillipe will be housed in SHU until his disciplinary matter has been adjudicated.

Despite Mr. Jean-Phillipe's pending disciplinary action, he and Mr. Cole have other means to confer to prepare their defense. Specifically, they are currently scheduled to take part in a co-defendant meeting, along with counsel, on Sunday, September 8, 2013. Although originally scheduled to occur at MDC Brooklyn, arrangements have been made to facilitate the meeting at MCC New York.

The Honorable Katherine B. Forrest
Re: United States v. Cole, et al., 12 Cr. 802 (KBF)
September 6, 2013
Page Two

I trust this letter was responsive to the Court's request. If you have any questions or concerns, please feel free to call me at (646)836-6455. Thank you for your time and attention to this matter.

Sincerely,



Adam M. Johnson
Supervisory Attorney
MCC New York

Ordered
Post to docket,

K. B. Forrest

9/6/13 USDI